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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,506	03/20/2001	Mitsuharu Nakamura	040894-5647	8902
9629	7590	03/01/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			NGUYEN, SON V	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/811,506	<b>Applicant(s)</b> NAKAMURA ET AL.	
	<b>Examiner</b> Son V Nguyen	<b>Art Unit</b> 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (US 6,364,703) in view of Hill (US 5,547,388).

Ito discloses an outer casing [30, figure 1] reads on applicant's a cover comprising:

- a cap-shape cover portion having a substantially closed end;
- a packing protecting portion extending from a peripheral wall of an opening of the cover portion in a continual longitudinal direction, the inner surface of the cover portion includes a lip [figure 4] separating the packing protecting portion from the closed end of the cover portion;
- the packing protection portion having a cross-section perpendicular to the longitudinal direction that is further from the longitudinal axis than a cross-section of the cover portion;

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- the cover portion is fitted to a connector [10] so as to cover a front portion and an outer peripheral portion of the connector, and the packing protecting portion covers a packing exposed around the outer peripheral portion of the connector;

- an inner peripheral surface of the packing protecting portion is formed in such a manner as to be brought into contact with the packing ; and

Ito further discloses the connector extending in a direction away from the packing, and the packing having a cross-section perpendicular to the longitudinal direction that is greater than a cross-section of the connector along the same direction.

Ito discloses the instant claimed invention as described above except for the cover has a hole, latching mechanisms, and the connector has a plurality of electrical contacts with conductors connected thereto.

Hill discloses a dustproof cover assembly [figures 1-6] comprising a cover [10, figures 1-3] having a hole [not label] and an engaging projection [20] for engaging with a lock arm [40] formed on a multi-pin electrical connector [34] which has a plurality of electrical contacts with conductors connected thereto [figures 4-6].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the cover assembly of Ito to provide the latching mechanism, the hole and the connector with contact type as taught by Hill for the purpose of facilitate operating the latching

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mechanism, retaining the cover to the connector and interconnecting the connector to a wiring harnesses, respectively.

*Response to Arguments*

3. Applicant's arguments with respect to claims 1-2 and <sup>4</sup>6-7 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son Nguyen whose telephone number is (571) 272-2097.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reach on (571) 272-2800, ext. 39. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.

 2/9/04  
SON V. NGUYEN  
PATENT EXAMINER